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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

JULIE E. TAYLOR,)	Case No.:
)	
Plaintiff,)	
)	
vs.)	
)	
MID-CENTURY INSURANCE COMPANY, a)	
California limited liability company d/b/a)	
Farmers Insurance Group; DOES 1 through X,)	
and ROE BUSINESS ENTITIES I through X,)	
inclusive,)	
)	
Defendants.)	
_____)	

PETITION FOR REMOVAL

TO: THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEVADA:

PLEASE TAKE NOTICE that Defendant/Petitioner, Mid-Century Insurance Company (hereinafter "Defendant"), and through their attorneys, The Feldman Firm, hereby removes the State action described herein to Federal Court. The grounds for removal are as follows:

1. On June 1, 2017, an action was commenced in the Eighth Judicial District Court, Clark County, Nevada, entitled "*Julie E. Taylor vs. Mid-Century Insurance Company, a California Limited Liability Company d/b/a Farmers Insurance Group; DOES 1 through X, and ROE BUSINESS ENTITIES I through X, inclusive*", Case No. A-17-756323-C.
2. A copy of all process, pleadings and orders served upon Defendant Mid-Century Insurance Company in the State Court action are attached hereto as **Exhibit 1**.
3. This Petition is filed timely pursuant to 28 U.S.C. §1446(b).

1 4. This action is a civil action of which this Court has diversity jurisdiction under the
2 provisions of 28 U.S.C. §1332 and 28 U.S.C. §2201, and is one which may be removed to this
3 Court by Petitioner pursuant to the provisions of 28 U.S.C. §1441(b).

4 5. There is a diversity of citizenship between Plaintiff Julie E. Taylor, and the insuring
5 entity, Defendant Mid-Century Insurance Company. Defendant is informed and believes that
6 Plaintiff, Julie E. Taylor was and still is a citizen of the State of Nevada. Defendant Mid-Century
7 Insurance Company was at the time of the filing of this action, and still is a corporation
8 incorporated in the State of California.

9 6. The matter in controversy exceeds \$75,000.00. Plaintiff seeks compensatory and
10 special damages in an amount in excess of \$100,000.00 under the uninsured/underinsured portion
11 of the policy of insurance with Mid-Century Insurance Company (See Complaint, p. 3, ¶ 15, p. 6-7,
12 attached hereto as **Exhibit 2**; Demand Letters from Plaintiff's counsel, Rebecca A. Fuller, Esq.,
13 dated August 25, 2015 at p. 3 ¶ 2, and November 22, 2016, seeking policy limits of \$100,000.00,
14 attached here as **Exhibit 3**). Plaintiff seeks damages for Breach of Contract for underinsured
15 motorist benefits \$100,000.00 limits; Breach of the Covenant of Good Faith and Fair Dealing
16 damages in an amount in excess of \$10,000.00; Breach of Fiduciary Duty damages in an amount
17 in excess of \$10,000.00; and Violation of Statutes, including but not limited to Breach of the
18 Nevada Unfair Claims Practices Act damages in an amount in excess of \$10,000.00. Plaintiff
19 further seeks exemplary and punitive damages on the following Causes of Action: Breach of the
20 Covenant of Good Faith and Fair Dealing, Breach of Fiduciary Duty, and Violation of Statutes.
21 Given those claims against this national insurance company, it is clear that Plaintiff is seeking
22 punitive damages in excess of \$75,000.00. (See Complaint **Exhibit 2**).

23 7. Defendant was served directly on June 9, 2017. (See **Exhibit 1**).

24 8. Pursuant to 28 U.S.C. §1446, a copy of this Petition for Removal is being filed with
25 the Clerk of the Eighth Judicial District Court, Clark County, Nevada, and is further served on all
26 parties hereto.

27 9. Defendant Mid-Century Insurance Company will also timely file a Notice of
28 ...

1 Removed Action in the Eighth Judicial District Court, Clark County, Nevada, a true and correct
2 copy of which is attached as **Exhibit 4**, 28 U.S.C. § 1446(d).

3 **JURY DEMAND**

4 Defendant Mid-Century Insurance Company demands a trial by jury on all issues
5 appropriate for jury determination.

6 WHEREFORE, Defendant Mid-Century Insurance Company hereby removes the State
7 action now pending against it in the Eighth Judicial District Court, Clark County, Nevada, Case
8 No. A-17-756323-C, to this Court.

9 DATED this 7 day of July, 2017.

10 THE FELDMAN FIRM

11
12 By: _____

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on the 7 of July, 2017, I mailed a true and correct copy of the foregoing **PETITION FOR REMOVAL** in a sealed envelope with First Class postage fully prepaid, addressed to the following:

Rebecca A. Fuller, Esq.
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An Employee of THE FELDMAN FIRM

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